## Application No. Applicant(s) Corrected 10/849,228 KIMURA ET AL. Notice of Allowability Examiner Art Unit Thomas P. Noland 2856 -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308. 1. This communication is responsive to 2. The allowed claim(s) is/are 3,6 and 11-14. 3. 🔀 The drawings filed on <u>5/20/04, Figs. 8, 9 & 12A-12B replaced,</u> are accepted by the Examiner. 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). b) ☐ Some\* c) ☐ None 1. Certified copies of the priority documents have been received. 2. A Certified copies of the priority documents have been received in Application No. 10/181,374. 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). \* Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. 6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No./Mail Date \_ (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Attachment(s) 1. Notice of References Cited (PTO-892) 5. Notice of Informal Patent Application (PTO-152) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 6. Interview Summary (PTO-413), Paper No./Mail Date 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08), 7. Examiner's Amendment/Comment

Paper No./Mail Date

of Biological Material

4. Examiner's Comment Regarding Requirement for Deposit

9. M Other page 2.

8. 

Examiner's Statement of Reasons for Allowance

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Note to Applications Examiner, Palm Trouble Shooter, IFW Support and/or Office

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of Publications

A new Notice of Allowance and Issue Fee Due should also be generated,

since as to date none has been mailed to Applicant or scanned into IFW, and the

time period restarted with this action.

1. It has come to the examiner's attention that the Corrected Notice of Allowance

and Issue Fee Due mailed Dec. 3, 2004, which appears to in fact have been the first

Notice of Allowance and Issue Fee Due that was actually mailed to Applicant, did not

grant the full 3 months from Dec. 3, 2004, i.e. until March 3, 2005, to pay the issue fee.

2. The period for response thereto is hereby extended to run until 3 months from

the mailing date of this letter.

3. The failure to note this in the Supplemental Notice of Allowability mailed Dec. 10,

2004 is regretted.

4. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tom Noland whose telephone number is (571) 272-

2202. The examiner can normally be reached on weekdays from 9:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Mr. Hezron E. Williams, can be reached on (571) 272-2208.

The fax phone number for the organization where this application or proceeding

is assigned is (703) 872-9306.

Thomas P. Noland Primary Examiner Art Unit 2856

tpn

Dec. 13, 2004

Thomas Note 1